



# California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, PE, Chair

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>



Arnold  
Schwarzenegger  
Governor

Linda S. Adams

Secretary for  
Environmental Protection

22 May 2009

Art O'Brien  
Wastewater Utility Manager  
City of Roseville  
2005 Hilltop Circle  
Roseville, CA 95747-9704

CERTIFIED MAIL  
7006 2150 0000 7132 1982

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2009-0542 FOR ASSESSMENT OF  
MANDATORY MINIMUM PENALTIES, CITY OF ROSEVILLE, PLEASANT GROVE  
WASTEWATER TREATMENT PLANT, PLACER COUNTY**

Enclosed is an Administrative Civil Liability Complaint (Complaint), issued pursuant to California Water Code (CWC) section 13385, for violations of Waste Discharge Requirements (WDRs) Orders 5-00-075 and R5-2008-0079 (NPDES No. CA0054573) at the City of Roseville Pleasant Grove Wastewater Treatment Plant. The Complaint charges the City of Roseville (Discharger) with civil liability in the amount of **fifteen thousand dollars (\$15,000)**, which represents the sum of accrued Mandatory Minimum Penalties (MMPs) for effluent limitation violations which occurred from 1 June 2007 through 31 December 2008.

On 28 April 2009, Central Valley Water Board staff issued a draft Record of Violations (ROV) covering the period from 1 June 2007 through 31 December 2008. The Discharger responded on 12 May 2009 and agreed that the ROV accurately reflected violations at the facility.

Pursuant to CWC section 13323, the Discharger may:

- Pay the assessed civil liability and waive its right to a hearing before the Central Valley Water Board by signing the enclosed waiver (checking off the box next to item #4) and submitting it to this office by **22 June 2009**, along with payment for the full amount;
- Agree to enter into settlement discussions with the Central Valley Water Board and request that any hearing on the matter be delayed by signing the enclosed waiver (checking off the box next to item #5) and submitting both the waiver and a letter describing the issues to be discussed to this office by **22 June 2009**; **or**
- Contest the Complaint and/or enter into settlement discussions with the Central Valley Water Board without signing the enclosed waiver.

If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations in the Complaint. This settlement will be considered final pending a 30-day period, starting from the date of this Complaint, during which time interested parties may comment on this action by submitting information to this office, attention Barry Hilton. Should the Central Valley Water Board receive new information or

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comments during this comment period, the Central Valley Water Board's Executive Officer may withdraw the complaint, return payment, and issue a new complaint. If the Central Valley Water Board does not hold a hearing on the matter, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the proposed settlement.

If the Central Valley Water Board does not receive a signed waiver within 30 days of the date of this Complaint (**by 22 June 2009**), then a hearing will be scheduled for the **13/14 August 2009** Central Valley Water Board meeting in Rancho Cordova. The Central Valley Water Board's Prosecution Team has prepared the enclosed draft Hearing Procedure to govern the conduct of such a hearing. Any objections to this draft Hearing Procedure must be received by Lori Okun, whose contact information is listed in the draft Hearing Procedure, by **5 p.m. on 29 May 2009**.

Any comments or evidence concerning the enclosed Complaint must be submitted in accordance with the deadlines contained in the draft Hearing Procedure, unless these deadlines are changed by the Central Valley Water Board's Adjudicatory Team, either on their own accord or upon request.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the Central Valley Water Board's Internet website at:

[http://www.waterboards.ca.gov/centralvalley/tentative\\_orders/](http://www.waterboards.ca.gov/centralvalley/tentative_orders/).

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office weekdays between 8:00 AM and 5:00 PM.

If you have any questions or comments regarding the Administrative Civil Liability Complaint, please contact Barry Hilton at (916) 464-4762.

WENDY WYELS

Supervisor

Compliance and Enforcement Section

Enclosure: ACLC R5-2009-0542

Draft Hearing Procedure

Hearing Waiver

cc w/o encl: Mr. Kenneth Greenberg, USEPA, Region 9, San Francisco

Mr. Kenneth Landau, Adjudicatory Team, Central Valley Water Board, Rancho Cordova

Mr. Reed Sato, Office of Enforcement, SWRCB, Sacramento

Mr. Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento

Ms. Lori Okun, Office of Chief Counsel, SWRCB, Sacramento

Ms. Emel Wadhwani, Office of Chief Counsel, SWRCB, Sacramento

Ms. Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova

Placer County Environmental Health Division, Auburn

Mr. Bill Jennings, California Sportfishing Protection Alliance, Stockton